

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, et al.,

Plaintiff(s),

v.

MOTOROLA, INC., et al.,

Defendant(s).

Case No. 2:10-cv-01823-JLR

MINUTE ORDER SETTING TRIAL
DATES AND RELATED DATES

TRIAL DATE

NOVEMBER 26, 2012

Preliminary infringement contentions and
disclosure of asserted claims

September 2, 2011

Disclosure of preliminary invalidity contentions

September 23, 2011

Reports from expert witnesses regarding
Markman issues due

October 21, 2011

Rebuttal expert reports regarding Markman issues due

November 17, 2011

Preliminary Claim Chart

December 2, 2011

Joint claim chart and Prehearing Statement

December 28, 2011

Opening claim construction briefs due
(24 pages per side)

January 20, 2012

Responsive claim construction briefs due
(24 pages per side)

February 3, 2012

Markman hearing at 09:00 AM on

March 9, 2012

1	Reports from expert witnesses under FRCP 26(a)(2) due	April 27, 2012
2	Rebuttal expert reports due	May 25, 2012
3	All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to CR7(d)(d)(3) or CR37(a)(2)(B)	
5	Discovery completed by	June 15, 2012
6	All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see CR7(d))	July 24, 2012
8	Settlement conference per CR 39.1(c)(2) held no later than	August 24, 2012
9	Mediation per CR 39.1(c)(3) held no later than	September 14, 2012
10	All motions in limine must be filed by and noted on the motion calendar no later than the second Friday thereafter	October 22, 2012
12	Agreed pretrial order due	November 8, 2012
13	Trial briefs , proposed voir dire questions and jury instructions	November 19, 2012
14	Pretrial conference to be held at 02:00 PM on	November 13, 2012
15	Length of Jury Trial: 5 days	

These dates are set at the direction of the Court after reviewing the joint status report and discovery plan submitted by the parties. All other dates are specified in the Local Rules. If any of the dates identified in this order or the Local Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day. These are firm dates that can be changed only by order of the court, not by agreement of counsel or the parties. The court will alter these dates only upon good cause shown: failure to complete discovery within the time allowed is not recognized as good cause.

If the Markman hearing or trial dates assigned to this matter create an irreconcilable conflict, counsel must notify Ms. Casey Condon, Deputy Clerk, at (206) 370-8520 within 10 days of the date of this order and must set forth the exact nature of the conflict. A failure to do so will be deemed a waiver.

The parties shall comply with the procedures outlined in the court's

1 **Standing Order** as to all patent claim construction issues. PLEASE NOTE:
2 The court will not rule on dispositive motions that raise issues of claim
3 construction prior to the hearing, unless special circumstances warrant
4 and leave of court is obtained in advance of filing.

5 As required by Local Rules W.D. Wash CR 37(a), all discovery matters
6 are to be resolved by agreement if possible. Counsel are further directed to
7 cooperate in preparing the Joint Claim Chart and final pretrial order in the
8 format required by CR 16.1, except as ordered below.

9 The original and one copy of any exhibits to be used at the Markman
10 hearing and/or trial are to be delivered to chambers five days before the trial
11 date. Each exhibit shall be clearly marked. Exhibit tags are available at the
12 Clerk's Office. The Court hereby alters the CR 16.1 procedure for numbering
13 exhibits: Plaintiff's exhibits shall be numbered beginning with 1; Defendant's
14 exhibits shall be numbered consecutively beginning with 500. Duplicate
15 documents shall not be listed twice: once a party has identified an exhibit
16 in the pretrial order, any party may use it. Each set of exhibits shall be
17 submitted in a three-ring binder with appropriately numbered tabs.

18 Counsel must be prepared to begin trial on the date scheduled, but it
19 should be understood that the trial may have to await the completion of
20 other cases.

21 Should this case settle, counsel shall notify Ms. Casey Condon, deputy
22 clerk, at 206-370-8520, as soon as possible. Pursuant to GR 3(b), an attorney
23 who fails to give the deputy clerk prompt notice of settlement may be subject
24 to such discipline as the court deems appropriate.

25 A copy of this Minute Order shall be mailed to all counsel of record.

26 August 5, 2011

s/ Casey Condon

Honorable James L. Robart
United States District Judge